

KEVIN G. HORBATIUK (KGH-4977)  
MATTHEW P. MAZZOLA (MM-7427)  
RUSSO, KEANE & TONER, LLP  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING CO., INC.**  
26 Broadway - 28th Floor  
New York, New York 10004  
(212) 482-0001

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
**IN RE COMBINED WORLD TRADE CENTER  
AND LOWER MANHATTAN DISASTER SITE  
LITIGATION**

**21 MC 102 (AKH)**

-----X  
**SEGUANDO E. RUALES (AND WIFE, CYNTHIA  
SARATO),**

**Plaintiffs,**

**DOCKET NO.:  
07 CV 11024**

**-against-**

**100 CHURCH, LLC, AMBIENT GROUP, INC.,  
AMERICAN EXPRESS BANK, LTD., AMERICAN  
EXPRESS COMPANY, AMERICAN EXPRESS  
TRAVEL RELATED SERVICES COMPANY,  
INC., BFP TOWER C CO. LLC., BFP TOWER  
C MM LLC., BLACKMAN-MOORING  
STEAMATIC CATASTROPHE, INC., D/B/A  
BMS CAST, CUNNINGHAM DUCT CLEANING CO.,  
INC., FGP 90 WEST STREET INC., GPS  
ENVIRONMENTAL CONSULTANTS, INC.,  
HILLMAN ENVIRONMENTAL GROUP, LLC.,  
INDOOR ENVIRONMENTAL TECHNOLOGY, INC.,  
KIBEL COMPANIES, LAW ENGINEERING,  
P.C., LEHMAN BROTHERS, INC., LEHMAN COMMERCIAL  
PAPER, INC., MERRILL LYNCH & CO., INC.,  
ROYAL AND SUNALLIANCE INSURANCE GROUP,  
PLC., TRAMMELL CROW COMPANY TRAMMELL  
CROW CORPORATE SERVICES, INC., TRC ENGINEERS,  
INC., VERIZON NEW YORK, INC., WFP RETAIL CO.,  
G.P., CORP., WFP RETAIL CO., L.P., AND ZAR REALTY  
MANAGEMENT CORP, ET AL.**

**Defendants.**

**NOTICE OF  
ADOPTION OF  
ANSWER TO  
MASTER COMPLAINT**

-----X

**PLEASE TAKE NOTICE**, that defendant **CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC.** ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

**WHEREFORE**, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
April 28, 2008

Kevin G. Horbatiuk  
Kevin G. Horbatiuk (KGH4977)  
Matthew P. Mazzola (MM-7427)  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING CO., INC.**  
RUSSO, KEANE & TONER, LLP  
26 Broadway, 28th Floor  
New York, New York 10004  
(212) 482-0001  
RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,  
WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
Attorney for Plaintiffs  
**SEGUANDO E. RUALES (AND WIFE, CYNTHIA SARATO),**  
115 Broadway - 12th Floor  
New York, New York 10006  
(212) 267-3700

**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 28<sup>TH</sup> day of April, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,  
WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
Attorney for Plaintiffs  
**SEGUANDO E. RUALES (AND WIFE, CYNTHIA  
SARATO),**  
115 Broadway 12th Floor  
New York, New York 10006

*Kevin G. Horbatiuk*

---

KEVIN G. HORBATIUK